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**JAN 19 2010**

In re Application of  
James B. PITKOW et al.  
Patent No. 7,031,961  
Application No. 09/730,501  
Filed: December 04, 2000  
Attorney Docket No. 24207-08967

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28.

The Office no longer investigates or rejects original or reissue patent under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This patent is no longer entitled to small entity status. Accordingly, all future fees paid in this patent must be paid at the large entity rate.

Inquiries related to this communication should be directed to Tredelle Jackson at (571) 272-2783.

Ramesh Krishnamurthy  
Petitions Examiner  
Office of Petitions

## **I. ITEMIZATION OF THE DEFICIENCY PAYMENT**

Following is a list of each particular type of fee that was erroneously paid as a small entity, the current fee amount for a non-small entity, the small entity fee actually paid, and the date of payment:

1. First maintenance fee was paid on October 19, 2009. The amount of \$490 was paid. Under 37 CFR § 1.20(e), the current fee amount for third maintenance fee for a non-small entity is \$980. Under 37 CFR § 1.28(c)(2)(i), the deficiency amount owed based on this transaction is equal to the amount (previously) paid in error, i.e. \$490.
2. The total deficient payment owed is \$490.

## **II. PAYMENT OF THE TOTAL DEFICIENCY PAYMENT OWED**

Please charge my Deposit Account No. 19-2555 in the amount of \$490 to cover the above fees. The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2555.